

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELATE CIVIL JURISDICTION**

WRIT PETITION NO.3031 OF 1999

Sanjay Shankar Koli ..Petitioner

Vs.

State of Maharashtra and Ors. ..Respondents

Mr.R.K.Mendadkar for Petitioner

Mr.R.M. Patne, A.G.P. for Respondent Nos.1 and 2

**CORAM: F.I. REBELLO &
S.P. KUKDAY, JJ.
DATE: 24TH MARCH, 2005.**

P.C.

. The claim of the Petitioner has been rejected by the Committee. The Petitioner is working in the office of Respondent No.3 since 31st January, 1988. It is however, the case of the Petitioner that his grand father's primary school leaving certificate of the period of 1925 shows his caste as Koli. In these circumstances his services should not be terminated.

. Considering the above following order :-

(i). The Petitioner to apply to the Competent Authority within four weeks from today.

(ii). The Competent Authority if it comes to the conclusion that the Petitioner belongs to the Koli caste which is Special Backward Caste to issue the

Certificate within eight weeks there after.

(iii). After the Certificate is issued the Petitioner to produce the same before Respondent NO.3 within three weeks thereafter.

(iv). The Respondent NO.3 to forward the Certificate for verification to the concerned Caste Scrutiny Committee, which will take decision thereon within six months thereafter.

. After the Competent Officer issues Caste Certificate and pending a decision of the Caste Verification Committee, the Respondent No.3 not to terminate the services of the Petitioner. If however, the Competent Officer refuses the Caste Certificate, and the Caste Scrutiny Committee refuses to verify the Caste Certificate, Respondent No.3 to take steps in law to terminate the services of the Petitioner.

. With the above findings the Petition is disposed of. No order as to costs.

(F.I.REBELLO, J.)

(S.P. KUKDAY, J.)